

1 BILL NO. Z-85- 02-10

2 ZONING MAP ORDINANCE NO. Z- 01-85

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. J-26.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

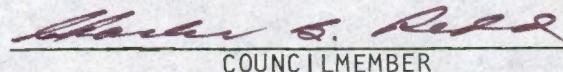
7 SECTION 1. That the area described as follows is hereby
8 designated a B-4 (Roadside Business) District under the terms of Chapter 33
9 of the Code of the City of Fort Wayne, Indiana of 1974:

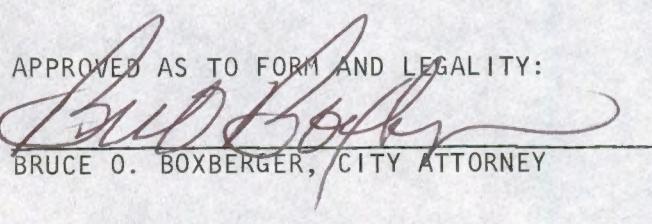
10 Part of the East half of the Northeast Quarter of the
11 Northwest Quarter, Section 27, Township 31 North,
12 Range 12 East, Allen County, Indiana, Second Principal
Meridian, more particularly described as follows:

13 Commencing at the northeast corner of said Northwest
Quarter; thence South 00 degrees, 30 minutes East, a
14 distance of 155.0 feet along the east line of the North-
west Quarter of said Section 27 to the Point of Beginning;
15 thence South 89 degrees, 31 minutes West, a distance of
16 189.47 feet parallel with the north line of the Northwest
Quarter of said Section 27; thence South 00 degrees,
17 30 minutes East, a distance of 665.1 feet; thence
18 North 89 degrees, 31 minutes East, a distance of 198.0
feet parallel with the north line of the Northwest Quarter
19 of said Section 27; thence North 01 degree, 18 minutes,
20 28 seconds West, a distance of 666.0 feet along the east
line of the Northwest Quarter of said Section 27 to the Point
of Beginning; and subject to the easements and rights-of-way
record

21 and the symbols of the City of Fort Wayne Zoning Map No. J-26, as established
22 by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
23 are hereby changed accordingly.

24 SECTION 2. That this Ordinance shall be in full force and effect
25 from and after its passage and approval by the Mayor.

26
27
28 
29
30 COUNCILMEMBER

31 APPROVED AS TO FORM AND LEGALITY:
32 
33 BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Redd, seconded by Salaves, and duly adopted, read the second time by title and referred to the Committee Organization (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on 2-12-85, the 19 day of February o'clock 10:00 A.M., E.S.T.

DATE: 2-12-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd, seconded by Steve, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>BRADBURY</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>BURNS</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>EISBART</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>GiaQUINTA</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>HENRY</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>REDD</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>SCHMIDT</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>STIER</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>TALARICO</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

DATE: 4-9-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
City Secy

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-01-85 on the 9th day of April, 1985.

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. Giallombardo
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of April, 1985, at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10 day of April, 1985, at the hour of 3 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE store expansionTHIS IS TO BE FILED IN DUPLICATEI/We _____ the undersigned
(Applicant's Name or Names)do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an RA District to a/an BA District the property described as follows:Part of the East half of the Northeast Quarter of the Northwest Quarter, Section 27, Township 31 North, Range 12 East, Allen County, Indiana, Second Principal Meridian, more particularly described as follows:Commencing at the northeast corner of said Northwest Quarter; thence South 00 degrees, 30 minutes East, a distance of 155.0 feet along the east line of the Northwest Quarter of said Section 27 to the Point of Beginning; thence South 89 degrees, 31 minutes West, a distance of (Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE GIVEN:

4310 Executive Blvd.
1727 Coliseum Blvd. West

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Floyd B. Kelsey, Jr.
Sam W. Fletcher46809
2624 Merivale Ave. Ft. Wayne, In.
46825
6127 Stoney Creek Dr. Fort Wayne, In.Floyd B. Kelsey
Sam W. Fletcher

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept requests from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Edward J. Moppert
(Name)1212 Anthony Wayne Bank Building
(Address & Zip Code)
Fort Wayne, IN 46802423-3331
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

189.47 feet parallel with the north line of the Northwest Quarter of said Section 27; thence South 00 degrees, 30 minutes East, a distance of 665.1 feet: along the property line described as follows: thence North 89 degrees, 31 minutes East, a distance of 198.0 feet parallel with the north line of the Northwest Quarter of said Section 27; thence North 01 degree, 18 minutes, 28 seconds West, a distance of 666.0 feet along the east line of the Northwest Quarter of said Section 27 to the Point of Beginning; and subject to the easements and rights-of-way of record.

Owners title Deed appears at Deed Record 693 pages 123-124.

Owners of Property

(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE
This form is to be filed in duplicate.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 12, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-02-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 25, 1985;

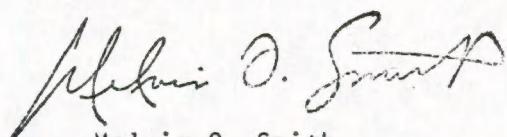
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Facts":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 4, 1985.

Certified and signed this
19th day of March 1985.



Melvin O. Smith
Secretary

Check # 10861
Date 1-16-85

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 10861

FT. WAYNE, IND. 1-16 1985

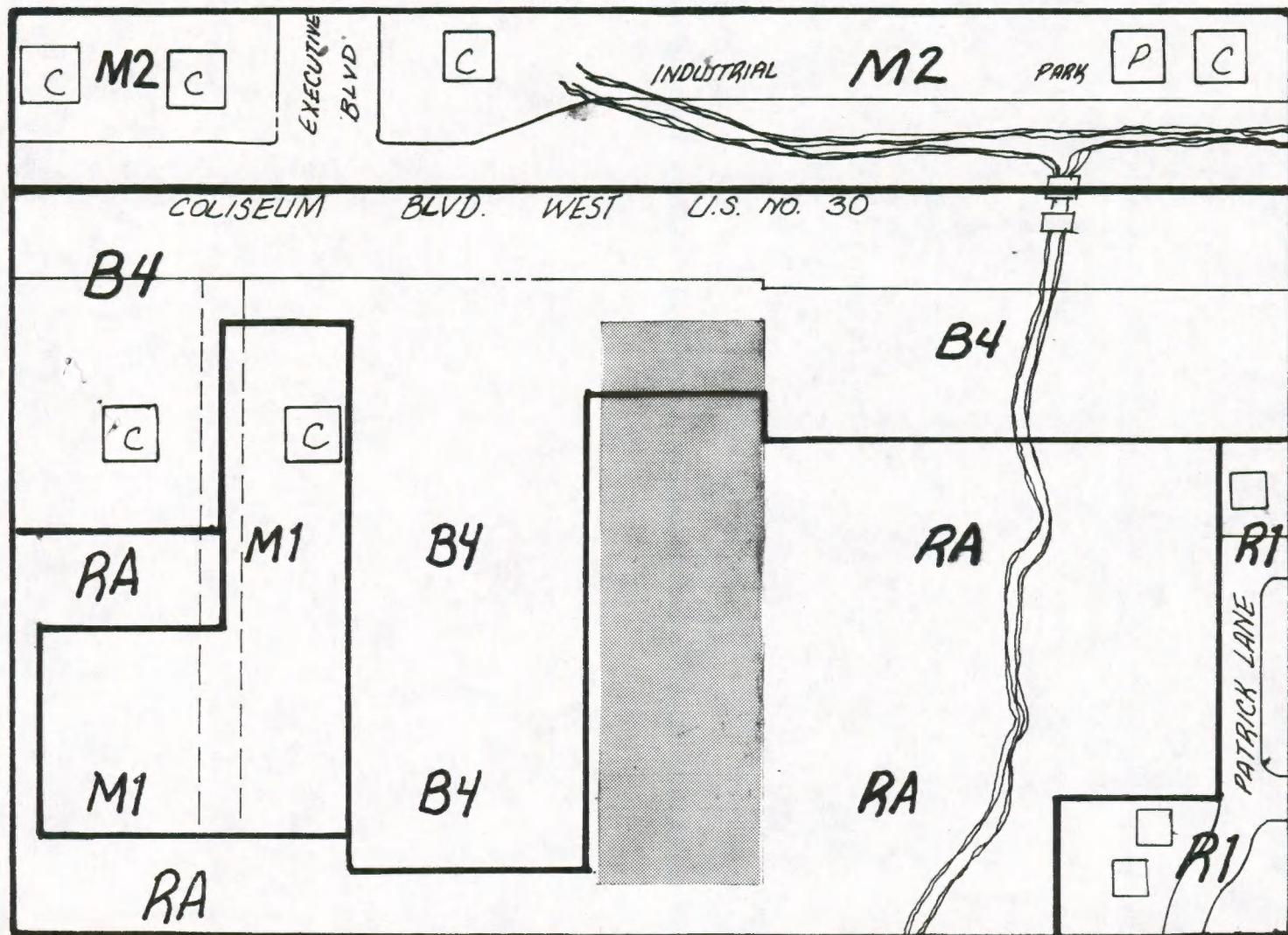
RECEIVED FROM Hoffman & Nagy, Inc. \$ 50.00
THE SUM OF Fifty Dollars or 1/100 DOLLARS
ON ACCOUNT OF Beginning Payment @ 4310 Executive Blvd
To Be gone from RA to B4 1527 Coliseum West
B. J. Wells
AUTHORIZED SIGNATURE

ZONING PETITION #111

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN RA DISTRICT TO A B4 DISTRICT.

MAP NO. J-26

COUNCILMANIC DISTRICT NO. 3



Zoning:

- RA RESIDENCE A
- RI RESIDENTIAL DISTRICT
- B4 ROADSIDE BUSINESS
- M1 LIGHT INDUSTRY
- M2 GENERAL INDUSTRY

Land Use:

- SINGLE FAMILY
- COMMERCIAL
- PUBLIC - FIRE STATION

Z-85-02-10

Scale: 1"=200'

Date: 1-16-85



BILL NO. Z-85-02-10

REPORT OF THE COMMITTEE ON

REGULATIONS

WE, YOUR COMMITTEE ON

REGULATIONS

TO WHOM WAS

REFERRED AN (ORDINANCE)

(RESOLUTION)

amending the City of Fort

Wayne Zoning Map No. J-26

1727 Coliseum Blvd. West

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(RESOLUTION)

YES

NO

Charles B. Redd CHARLES B. REDD
CHAIRMAN

JANET G. BRADBURY JANET G. BRADBURY
VICE CHAIRWOMAN

JAMES S. STIER JAMES S. STIER

BEN A. EISBART BEN A. EISBART

DONALD J. SCHMIDT DONALD J. SCHMIDT

CONCURRED IN

7-9-85

SANDRA E. KENNEDY
CITY CLERK

FACT SHEET

Z-85-02-10

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE****APPROVAL DEADLINE****REASON**

Zoning Ordinance Amendment

DETAILS**Specific Location and/or Address**

1727 Coliseum Blvd., West

Reason for Project

Expansion of Fleet Supply

Discussion (Including relationship to other Council actions)February 25, 1985 - Public Hearing

Edward Moppert, attorney for the petitioners and prospective purchasers stated that Fleet Supply is an old established business in the community and is growing rapidly and is in need of expanding. He stated the needed expansion of the business is the reason for the requested rezoning. He stated that this request does not violate the spirit of the Master Plan for the City. He stated that the location they are requesting rezoned does not lend itself to residential use.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

March 4, 1985 - Business Meeting

The Site Committee recommended approval to this request. Motion to approve was passed.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**Floyd B. Kelsey/Sam Fletcher
City Department

Other

Opponents**Groups or Individuals**

None

Basis of Opposition**Staff
Recommendation** For Against**Reason Against****Board or
Commission
Recommendation****By** For Against
 No Action Taken For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS****(For Council
use only)** Pass Other Pass (as
amended) Hold Council Sub. Do not pass

DETAILS**POLICY/PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

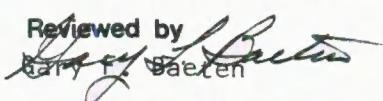
(This space for further discussion)

Project Start**Date** January 16, 1985**Projected Completion or Occupancy****Date** March 18, 1985**Fact Sheet Prepared by**

Patricia Biancaniello

Date

March 18 1985

Reviewed byHarry T. Baeten**Date**

March 18, 1985

Reference or Case Number

ORIGINAL

Admn. Appr.

DIGEST SHEET ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

Z 85-02-10

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 1727 Coliseum Blvd., West

Councilmanic District No. 3

EFFECT OF PASSAGE Property is now zoned RA - Suburban Residential. Property will become B-4 - Roadside Business.

EFFECT OF NON-PASSAGE Property will remain B-4 - Roadside Business.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)